

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RONALD DANDAR,)
Petitioner,) Civil Action No. 12-250 Erie
)
v.) Chief District Judge Sean J. McLaughlin
) Magistrate Judge Susan Paradise Baxter
UNITED STATES OF AMERICA,)
Respondent.)

MEMORANDUM ORDER

SEAN J. McLAUGHLIN, Chief District Judge.

On May 15, 2013, Petitioner filed a motion for leave to proceed on appeal *in forma pauperis*. On May 16, 2013, this court denied that motion because he did not have an appeal pending. [ECF No. 7]. On June 4, 2013, the U.S. Court of Appeals for the Third Circuit sent a letter to this Court advising us that on March 20, 2013, Petitioner erroneously filed a notice of appeal with it when he should have filed it in this court. The Third Circuit Court directed this court to process the notice of appeal and docket it as being filed here on March 20, 2013.

Pursuant to the Third Circuit Court's directive, Petitioner's notice of appeal has been docketed. Accordingly, this court's May 16, 2013 Text Order denying his motion for leave to appeal *in forma pauperis* because no appeal had been filed will be vacated and the motion will be listed as pending. This court cannot rule on that motion at the present time, however, because Petitioner must submit in support of it the following document:

A certified statement of the prison account statement(s) (or institutional equivalent) for the six month period preceding the filing of the notice of appeal. In this case, the six month period began on or around September 20, 2012.

Accordingly, this 5th day of June, 2013, it is hereby ORDERED that:

(1) This court's May 16, 2013 Text Order denying the motion for leave to proceed *in forma pauperis* [7] is VACATED and that motion shall be listed as pending; and,

(2) Petitioner must file the required prison account statement(s) on or before **June 26, 2013**.

If he does not comply with this directive, this court will deny the motion for leave to appeal *in forma pauperis*.

/s Sean J. McLaughlin
Chief United States District Court Judge
Western District of Pennsylvania

Notice to Petitioner via first class mail at:

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